

F12=Return

Type	Description/Name	Doc #	Sfx	Date	Book	Pages
AFF	COMPSTON, JAMES JR (DECEASED)	283781		10/07/02		-
	AFFIDAVIT TERM JOINT TENANCY	Cost.....				
BAM	COMPSTON FAMILY 1982 TRUST	290296		2/05/03		-
	BOUNDARY ADJUSTMENT MAP	Cost.....				
BAD	COMPSTON, MARION F ET AL TRS	290297		2/05/03		-
	BOUNDARY ADJUSTMENT DEED	Cost.....				
		Cost.....				-
		Cost.....				-
		Cost.....				-
		Cost.....				-
		Cost.....				-
		Cost.....				-
		Cost.....				-
		Cost.....				-
		Cost.....				-

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

- - - - -

WHEREAS, James Compston, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from an underground source through a drilled well, pump, and distribution system for commercial and domestic purposes. The point of diversion of water from the source is as follows:

NEX SWX Section 2, T.10N., R.23E., M.D.B.&M., or at a point from which the WX corner of said Section 2 bears N. 80°00'00" W., a distance of 1,891.36 feet situated in Lyon County, State of Nevada.

NOW KNOW YE, That the State Engineer, under the provisions of NRS 533.425, has determined the date, source, purpose, amount of appropriation, and the place where such water is appurtenant, as follows:

Name of appropriator:	Compston Family 1982 Trust
Source:	Underground
Manner of Use:	Commercial and Domestic
Amount of appropriation:	0.1114 c.f.s., but not to exceed 2.80 million gallons annually
Period of use:	January 1st to December 31st of each year
Date of priority of appropriation:	May 4, 1994

Description of the works of diversion, manner and place of use:

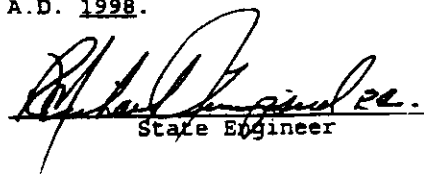
Water is developed by means of a drilled well, 200 feet deep, 8 inch diameter casing, via a 3 H.P. submersible pump to four 480 gallon pressure tanks, thence through a distribution system to 1 cabin, 25 RV spaces, 6 mobile homes, and 1 restroom facility at the Wellington Station Resort for commercial and domestic purposes located within the SX NWX, SWX Section 2, and the SEX SEX Section 3, T.10N., R.23E., M.D.B.&M.

The total combined duty of water under this certificate and Permit 41214, Certificate 12748, shall not exceed 6.1 million gallons annually.

This certificate is issued subject to the terms of the permit.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place and for the purpose as set forth herein.

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 4th day of September, A.D. 1998.


State Engineer

cms/sb

APNs: 10-621-05, 10-701-03, 10-671-15,
10-631-07, 10-631-08, 10-642-01,
01-291-03, 01-321-01, 01-321-02,
01-322-01, 01-323-01, 01-324-01,
01-325-01, 10-701-01, and 10-621-06

✓ WHEN RECORDED RETURN TO:
ANDREW MacKENZIE, ESQ.
ALLISON MacKENZIE, RUSSELL,
PAVLAKIS, WRIGHT & FAGAN, LTD.
P.O. Box 646
Carson City, NV 89702

MAIL TAX STATEMENTS TO:
MARION F. COMPSTON, Co-Trustee
KATHRYN A. CHAMPAGNE, Co-Trustee
P.O. Box 36
Wellington, NV 89444

AFFIDAVIT OF DEATH OF TRUSTEE

STATE OF NEVADA)
 : ss.
CARSON CITY)

MARION F. COMPSTON and KATHRYN A. CHAMPAGNE, being first duly sworn,
depose and say:

1. That JAMES COMPSTON, JR., died on or about June 17, 2002; and a copy of the
Certificate of Death is attached hereto as Exhibit "A" and incorporated herein by this reference.

2. That JAMES COMPSTON, JR., was one of the Co-Trustees of "THE COMPSTON
FAMILY 1982 TRUST," dated June 16, 1982; the owner of all that certain real property situate in the
county of Lyon, state of Nevada, being Assessor's Parcel Numbers 10-621-05, 10-701-03, 10-671-15,
10-631-07, 10-631-08, 10-642-01, 01-291-03, 01-321-01, 01-321-02, 01-322-01, 01-323-01, 01-324-01,
01-325-01, 10-701-01, and 10-621-06, as more particularly described in that certain Deed, dated October
13, 1993, recorded in the Official Records of the county of Lyon, state of Nevada, as Document No. 165889,
on November 2, 1993, and Re-record Document No. 244127, on February 3, 2000, and being more
particularly described as follows:

(See Exhibit "B" attached hereto and incorporated herein by this reference.)

3. MARION F. COMPSTON is the surviving Trustee and KATHRYN A.
CHAMPAGNE is the successor Co-Trustee of THE COMPSTON FAMILY 1982 TRUST, dated June 16,
1982.

4. That as of this date, the said trust has not been revoked and Affiants are the Co-Trustees thereof.
5. That this Affidavit has been executed in Carson City, state of Nevada.
6. That Affiants certify and declare under penalty of perjury that the foregoing is true and correct.

Further Affiants sayeth naught.

DATED August 27th, 2002.

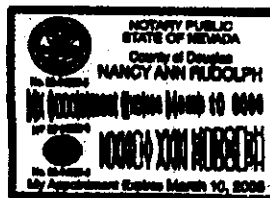
Marion F. Compston
MARION F. COMPSTON

Kathryn A. Champagne
KATHRYN A. CHAMPAGNE

On August 27th, 2002, before me, Nancy Ann Rudolph, a notary public, personally appeared MARION F. COMPSTON, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person (or entity upon behalf of which the person acted), executed the instrument.

WITNESS my hand and official seal.

Nancy Ann Rudolph
NOTARY PUBLIC
NOTARY PUBLIC
NOTARY PUBLIC



On August 27th, 2002, before me, Nancy Ann Rudolph, a notary public, personally appeared KATHRYN A. CHAMPAGNE, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and

**DIVISION OF HEALTH
VITAL STATISTICS**
STATE OF NEVADA — DEPARTMENT OF HUMAN RESOURCES
DIVISION OF HEALTH — SECTION OF VITAL STATISTICS
CERTIFICATE OF DEATH

20020008296

1. DECEASED—NAME First: <u>James</u> Last: <u>COMBESTON, Jr.</u>		DATE OF DEATH (Month, Day, Year) <u>June 17, 2002</u>		COUNTY OF DEATH <u>Lyon</u>	
2. CITY, TOWN OR LOCATION OF DEATH <u>Wellington</u>		3. HOSPITAL OR OTHER INSTITUTION—Name (If not correct, give street and number) <u>at home; 538 Smith Gage Road</u>		4. Place of last address (See instructions) <u>Male</u>	
5. RACE—(a) White, Black, American Indian, etc. (b) Color <u>White</u>		6. AGE—Last birthday (Years, Months, Days) <u>75</u>		7. DATE OF BIRTH (Month, Day, Year) <u>November 2, 1926</u>	
8. STATE OF BIRTH <u>Nevada</u>		9. CITIZEN OF UNITED STATES <u>USA</u>		10. MARRIAGE STATUS <u>Married</u>	
11. SOCIAL SECURITY NUMBER <u>530-24-6357</u>		12. USUAL OCCUPATION (Give street or West Coast County level of) <u>RV Park Owner</u>		13. NAME OF SPOUSE (If not, give maiden name) <u>Marion P. Gilbert</u>	
14. RESIDENCE—STATE <u>Nevada</u>		15. CITY, TOWN, OR LOCATION <u>Wellington</u>		16. STREET AND NUMBER <u>538 Mith Gage</u>	
17. FATHER—NAME <u>James</u>		18. MOTHER—NAME <u>Ida</u>		19. LAST <u>Ball</u>	
20. DECEASED—NAME (If not of First) <u>Marion P. Combston, Wife</u>		21. USUAL ADDRESS <u>PO Box 36</u>		22. Address of R.F.D. No., City or Town, State, Zip <u>Wellington, Nevada 89444</u>	
23. BURIAL OR CREMATION—Name <u>Cremation/Burial</u>		24. CITY, TOWN, OR LOCATION <u>Hillcrest Cemetery</u>		25. LOCATION <u>Smith Nevada</u>	
26. NAME AND ADDRESS OF FUNERAL HOME <u>Funeral Home</u>		27. NAME AND ADDRESS OF FACILITY <u>25 Hwy 208</u>		28. Funeral Home <u>Funeral Home</u>	
29. DATE OF DEATH <u>June 20, 2002</u>		30. HOUR OF DEATH <u>0730</u>		31. DATE RECEIVED BY REGISTRAR <u>June 20, 2002</u>	
32. NAME AND ADDRESS OF CERTIFYING PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OR CORONER <u>Robin Titus, MD; Box 377 Wellington, Nevada 89444</u>		33. LICENSE NUMBER <u>4617</u>		34. DEATH DUE TO COMMUNICABLE DISEASE <u>YES</u>	
35. IMMEDIATE CAUSE <u>Heart failure</u>		36. INTERVAL BETWEEN ONSET AND DEATH <u>minutes</u>		37. INTERVAL BETWEEN ONSET AND DEATH <u>2 months</u>	
38. OTHER SIGNIFICANT CONDITIONS <u>Heart failure, peripheral vascular disease</u>		39. INTERVAL BETWEEN ONSET AND DEATH <u>35 years</u>		40. INTERVAL BETWEEN ONSET AND DEATH <u>35 years</u>	
41. DATE OF BIRTH <u>June 20, 2002</u>		42. HOUR OF BIRTH <u>0730</u>		43. DATE RECEIVED BY REGISTRAR <u>June 20, 2002</u>	
44. PLACE OF BIRTH <u>USA</u>		45. LOCATION <u>Smith Nevada</u>		46. STREET OR R.F.D. No. <u>538 Mith Gage</u>	
47. CITY OR TOWN <u>Wellington</u>		48. STATE <u>Nevada</u>		49. ZIP CODE <u>89444</u>	

STATE REGISTRAR

No. 218903

Birth cert# 26-00111

This is to certify that the above is a true and correct copy
of the certificate on file in this office.

OCT 1 2002

282781

State Registrar

A.P.N. 10-631-07 & 17

The undersigned grantor(s) declare(s):

Documentary transfer tax is Exempt #3

WHEN RECORDED, MAIL TO:

✓ P.O. Box 36
Wellington, NV 89444

BOUNDARY LINE ADJUSTMENT DEED

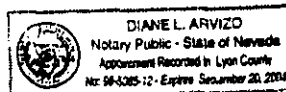
That Marion F. Compston, Surviving Co-Trustee and Kathryn A. Champagne, Successor Co-Trustee of The Compston Family 1982 Trust, dated June 16, 1982 in consideration of \$10.00 Dollars, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell and Convey to Marion F. Compston, Surviving Trustee and Kathryn A. Champagne, Successor Trustee of The Compston Family 1982 Trust, dated June 16, 1982 all that real property in the County of Lyon, State of Nevada, bounded and described as follows:

SEE EXHIBITS "A" AND "B" ATTACHED HERETO AND MADE A PART HEREOF

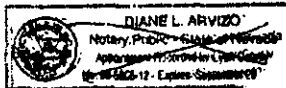
Together with all singular tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Dated: 1-15-03

Marion F. Compston
Marion F. Compston, Surviving Co-Trustee
Kathryn A. Champagne
Kathryn A. Champagne, Successor Co-Trustee



STATE OF NEVADA)

COUNTY OF Lyon)

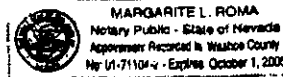
On 1-15-03 personally appeared before me, a Notary Public, MARION F. COMPSTON

who acknowledged that She executed the above instrument.

Signature Diane L. Arvizo
(Notary Public)

DATED: 1-17-03

Kathryn A. Champagne
Kathryn A. Champagne, Successor Co-Trustee

STATE OF NEVADA)
COUNTY OF Naselle)

On 1-17-03 personally appeared before me, a Notary Public, Margarite L. Roma
Kathryn A. Champagne who acknowledged that She executed the above instrument.

Signature Margarite L. Roma
(Notary Public)

290297

EXHIBIT "A"
PARCEL 2B-2 (ADJUSTED)

All that certain real property being a portion of Parcel 2B-2 as shown on Parcel Map, File No. 130652, Lyon County Records, Lying in a Portion of Sections 2&3 Township 10 North , Range 23 East, Mount Diablo Meridian, Lyon County Nevada, Being described as follows:

Beginning at a point on the South Line of Section 3, Township 10 North, Range 23 East, Mount Diablo Meridian, From which point the Southeast Corner of said Section 3 bears South 90° 00' 00" East, 509.46'; Thence along said line North 90° 00' 00" West 94.50'; Thence North 31° 38' 00" East, 177.96'; Thence North 54° 33' 22" East 549.69'; Thence North 50° 48' 38" East, 551.80'; Thence North 61° 00' 00" East, 145.00'; Thence North 75° 08' 00" East, 337.80'; Thence North 16° 00' 00" West, 105.11'; Thence South 89° 21' 00" West, 425.33'; Thence South 70° 39' 30" West, 252.10'; Thence South 41° 11' 20" West, 170.85'; Thence South 21° 10' 30" West, 316.59'; Thence South 59° 02' 40" West, 482.85'; Thence South 46° 07' 30" West, 243.66'; Thence South 39° 39' 20" West, 191.74'; Thence Crossing the West Walker River, North 90° 00' 00" West, 190.54'; Thence North 46° 33' 50" East, 373.79'; Thence North 49° 50' 12" East, 184.50'; Thence North 46° 41' 05" East, 240.52'; Thence North 37° 04' 10" East, 287.00'; Thence North 40° 03' 39" East, 287.45'; Thence North 52° 10' 15" East, 549.48'; Thence North 63° 04' 47" East, 216.46'; Thence North 52° 38' 25" East, 234.01'; Thence South 65° 01' 28" East, 128.57'; Thence South 54° 30' 50" East, 446.17'; Thence North 23° 48' 15" East, 67.31'; Thence North 68° 48' 18" East, 3.42'; Thence North 23° 49' 55" East 397.49' To The Beginning of A Non-Tangent Curve To The Right Having A Radius Of 170.00' Subtended By a Central Angle Of 14° 35' 08" and from which the Radius Point Bears South 66° 11' 45" East; Thence along the arc of said curve 43.28' with a chord bearing North 31° 05' 49" East, 43.16'; Thence North 38° 23' 23" East, 176.23' To The Beginning Of a Non-Tangent Curve To The Right Having a Radius of 180.00' Subtended By a Central Angle of 21° 26' 24" and from which the radius point bears South 51° 36' 37" East; Thence along the arc of said curve 67.36' with a chord bearing North 49° 06' 35" East, 66.96'; Thence North 59° 49' 47" East, 166.56' To The Beginning of a Non-Tangent Curve to The Right Having a Radius of 360.00' Subtended by a Central Angle of 13° 08' 53" And From Which The Radius Point Bears South 30° 10' 13" East; Thence along the arc of said curve 82.61' with a chord bearing North 66° 24' 14" East, 82.43'; Thence North 73° 02' 49" East, 201.26'; Thence South 18° 52' 38" East, 131.65'; Thence South 40° 30' 32" East, 428.96'; Thence North 85° 12' 56" West, 197.85' To a Curve To The Left Having a Radius of 500.00' Subtended by a central angle of 12° 41' 16" and from which the radius point bears South 4° 47' 04" West, Thence along the Arc of said Curve 110.72', with a Chord Bearing South 88° 26' 26" West, 110.50'; Thence South 82° 05' 48" West, 34.41'; Thence South 27° 07' 44" West, 229.77'; Thence South 36° 11' 40" West, 983.87'; Thence South 85° 20' 37" West, 221.73'; Thence North 76° 06' 32" West, 191.60'; Thence South 67° 52' 56" West, 201.85'; Thence North 72° 00' 31" West, 203.97'; Thence South

290297

53°57'38" West, 345.04'; Thence South 23°26'17" West, 188.56'; Thence South
46°05'28" West, 148.52'; Thence South 71°21'43" West, 356.71'; Thence North
84°33'35" West, 189.86'; Thence South 32°39'03" West, 87.89' To the Point of
Beginning.

Containing 41.29 acres more or less



Exp: 12/31/04

Prepared By:
Denson Surveying, Inc.
P.O. Box 528
Yerington, Nv. 89447
(775) 463-3611

51:
2/1/04
10/10/10
10/10/10

EXHIBIT "B"
PARCEL 2A-1 (ADJUSTED)

All that certain real Property Being a portion of Parcel 2B-2 and all of Parcel 2A-1 as shown on Parcel Map, File No. 130652, Lyon County Records, Lying in a portion of Section 2, Township 10 North, Range 23 East, Mount Diablo Meridian, Lyon County, Nevada, Being described as follows:

Commencing at the West ¼ Section Corner of said Section 2, as shown on Recorded Parcel Map File Number 130652 in the Lyon County Records Office, Thence South 2°41'15" West, 1531.51'; Thence North 52°10'15" East, 412.20'; Thence North 63°04'47" East, 216.46'; Thence North 52°38'25" East, 234.01'; Thence South 65°01'28" East, 128.57' to the True Point of Beginning of the Parcel here in Described; Thence North 16°26'44" East, 130.56'; Thence North 47°26'11" East, 257.39'; Thence North 16°31'25" East, 104.16'; Thence North 22°10'56" West, 1320.26'; Thence South 64°44'02" East, 327.13'; Thence North 47°31'14" East, 318.48' To a Point on the Southerly Line of State Route 208 as shown on said Parcel Map; Thence Along said Line South 57°10'26" East, 530.96' to the Beginning of a Non-Tangent Curve to the right having a Radius of 1,950.00'; Subtended by a central Angle of 13°02'00" and from which the Radius Point Bears South 32°49'34" West; Thence along the arc of said curve 443.58' With a Chord Bearing South 50°39'26" East, 442.62'; Thence South 44°23'28" East, 71.77'; Thence South 44°23'28" East, 218.64'; Thence Leaving said Southerly Line South 1°19'14" East, 97.97'; Thence South 40°18'33" East, 280.15'; Thence South 73°33'22" East, 63.80'; Thence South 69°41'28" East 173.40' To the Southerly right of way line of State Route 208 as shown on said Parcel Map; Thence along said Line South 44°16'22" East; 82.88' to a Non-Tangent Curve to the Right with a Radius of 131.59' Subtended by a central Angle of 28°11'30" and from which the Radius point bears North 15°56'17" West; Thence along the Arc of said Curve and leaving said Southerly right of way line 64.75' with a chord bearing South 88°09'28" West; 64.10'; Thence North 77°44'47" West, 309.39' To a Non-Tangent Curve to the Left with a radius of 225.52' Subtended by a central Angle of 29°16'33" and from which the Radius Point Bears South 12°15'13" West; Thence along the Arc of said Curve 115.23' With a Chord Bearing South 87°36'57" West, 113.98'; Thence South 72°46'34" West, 69.14'; Thence South 73°02'49" West, 201.26' To a Non-Tangent Curve to the Left with a Radius of 360.00' Subtended by a Central angle of 13°08'53"; and from which the Radius Point bears South 17°01'20" West; Thence along the Arc of said Curve 82.61' with a Chord bearing South 66°24'14" West, 82.43'; Thence South 59°49'47" West, 166.56' to a Non-Tangent Curve to the Left with a Radius of 180.00' Subtended by a central Angle of 21°26'24" and from which the Radius Point Bears South 30°10'13" East; Thence along the Arc of said Curve 67.36' with a Chord Bearing South 49°06'35" West 66.96'; Thence South 38°23'23" West, 176.23' to a Non-Tangent Curve to the Left with a Radius of 170.00' Subtended by a central Angle of 14°35'08" and from which the Radius Point bears South 51°36'37" East Thence along the Arc of said curve 43.28' with a Chord bearing South 31°05'49" West, 43.16'; Thence South 23°49'55" West, 397.49'; Thence South 68°48'18" West, 3.42'; Thence South 23°48'15" West, 67.31'; Thence North 54°30'50" West, 416.17' To the Point of Beginning.

290297

Wellington
Station
Resort
Museum

Wellington,
Nevada

Street Address: 2855 State Rt. 208
Wellington, NV 89444

Mailing Address: P.O. Box 36
Wellington, NV 89444

Contact:
Phone: 775-465-2304
Fax: 775-465-9989

Hours of Operation: By appointment.

Season: May-Sep.


Admissions: None.

Description: Features mostly Nevada and Native Nevadan artifacts assembled in the original 1898 one-room Wellington School house.

Museum Staff:

Position	Name	Phone
		775-465-2304

Posted: 02/20/01; Last Updated: ; By: ; ObjId: 136860

Museum profile courtesy of the [Nevada Museums Association](#) and the  [MuseumsUSA Network](#).

NONCOMMUNITY

March 1, 2000

LAHONTAN DAM STATE PARK
 BEACH 7/ SILVER SPRINGS
 16799 LAHONTAN DAM
 FALLON, NEVADA 89406
 OWN: STATE PARKS
 VICKIE HANRAHAN, BILLING DEPT.
 OPR: TERRY BRAY, (775) 867-3500
 CONN: 2
 POP: 305
 LY-5021-12NC/DE

MEL'S DINER
 5 PENROSE LANE
 YERINGTON NV 89447
 OWN: MELVIN SNODDY
 OPR: MELVIN SNODDY
 CONN: 1
 POP:
 LY-0858-12NC/RK

OASIS CLUB
 P. O. BOX 1113
 DAYTON, NV 89403
 OWN: EUGENE CHANIEY
 OPR: EUGENE CHANIEY, (775) 241-7111
 CONN: 2
 POP: 25
 LY-4038-12NC/RK

PIT STOP
 4245 HWY. 50
 SILVER SPRINGS, NV 89429
 OWN: NADINE MURRELL/SHIRLEY CRAGO
 P. O. BOX 889
 SILVER SPRINGS, NV 89429
 (775) 577-2400, (775) 577-9609
 OPR: NADINE MURRELL/SHIRLEY CRAGO
 (775) 577-9368
 CONN: 1
 POP: 15
 LY-0825-12NC/RK

SMITH VALLEY WATER SYSTEM
 LYON COUNTY PUBLIC WORKS
 18A HWY. 95A
 YERINGTON, NV 89443
 OWN: JIM LOVATO, (775) 246-6222
 OPR: JIM LOVATO, (775) 246-6221
 CONN: 1
 POP: 20
 LY-2569-12NC/RK

STAGECOACH CAFE
 711 SOUTH CARSON ST.
 CARSON CITY, NV 89701
 OWN: PAT MORAN
 OPR: PAT MORAN, (775) 882-4834
 CONN: 1
 POP: 25
 LY-2608-12NC/RK

WABUSKA BAR
 OWN: MITCH MILLER, (775) 463-1003
 OPR: MITCH MILLER
 265 N. HWY. 95A
 YERINGTON, NV 89447
 SEND A COPY OF CORRESPONDENCE TO:
 MITCH MILLER
 WABUSKA BAR
 110 MASON RD.
 YERINGTON, NV 89447-3160

CONN: 1
 POP: 25
 LY-0857-12NC/RK

WALKER RIVER RESORT
 P. O. BOX 90
 SMITH, NV 89430
 OWN: STAN SIMMONS, (775) 465-2573
 OPR: STAN SIMMONS, (775) 465-2019
 CONN: 50
 POP: 25
 LY-4048-12NC/RE

WELLINGTON STATION RESORT
 P. O. BOX 36
 WELLINGTON, NV 89444
 OWN: J. COMPSTON
 OPR: J. COMPSTON, (775) 465-2304
 CONN: 30
 POP: 50
 LY-0243-12NC/RE

WILDHORSE BAR AND GRILL
 160 MAIN ST.
 DAYTON, NV 89403
 OWN: BONNIE STRYKER, (775) 246-9815
 P. O. BOX 1808
 DAYTON, NV 89403
 OPR: BONNIE STRYKER
 CONN:
 POP:
 LY-0881-12NC/RK

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3-8-'04

Marion F. Compston, Trustee
Signature

MARION F. COMPSTON, TRUSTEE

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: TRUSTEE of

(Title)

The Compston Family 1982 Trust

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA.

Plaintiff.

WALKER RIVER PAIUTE TRIBE.

Plaintiff-Intervenor.

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al..

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

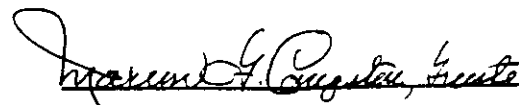
4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

1 Attorney: Gordon H. DePaoli
2 Dale E. Ferguson
3 Address: Woodburn and Wedge
6100 Neil Road, Suite 500
Reno, Nevada 89511-1149

4
5
6 Phone Number: 775/688-3000

7 Fax Number: 775/688-3000



(Signature)

10
11 MARION F. COMPSTON, TRUSTEE
12 (Printed or typed Name)

13
14 The Compston Family 1982 Tr
15 (Entity, if any, on whose
16 behalf you are appearing)

17 P.O. Box 36
18 Wellington, NV 89444
(Address)

19 _____
(Telephone number)

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

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Date: 5/28/03

John W. Whitney
Signature

John W. Whitney
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: for myself of
(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

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Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

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to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
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5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number.

1 Attorney:

2
3 Address:

4
5
6 Phone Number:

7 Fax Number:

8 John W. Whitney
9 (Signature)

10
11 John W. Whitney
12 (Printed or typed Name)

13
14
15 (Entity, if any, on whose
16 behalf you are appearing)

17 P.O. Box 20579
18 (Address)

19 Beno, NV 89515
20 (Telephone number)

21 775-689-7666
22
23
24
25
26
27
28

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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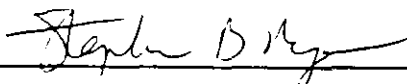
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Date 9-4-03



Signature

Stephen B. Rye

Printed Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: attorney for
(Title)

Willowcreek G.I.D.

(Corporate, Trust, Partnership or other entity)

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1
2 **IN THE UNITED STATES DISTRICT COURT**
3 **FOR THE DISTRICT OF NEVADA**

4 UNITED STATES OF AMERICA,)

5 Plaintiff,)

6 WALKER RIVER PAIUTE TRIBE,)

7 Plaintiff-Intervenor,)

8 vs.)

9 WALKER RIVER IRRIGATION DISTRICT,)
 a corporation, et al.,)

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

10 **NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE**

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12 2. I am filing this document with the District Court at the following address:

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14 United States District Court for the
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15 400 South Virginia Street, Suite 301
16 Reno, Nevada 89501

17 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
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19 Susan L. Schneider
20 Attorney for the United States of America
 United States Department of Justice
21 Environment & Natural Resources Division
 P.O. Box 756
 Littleton, Colorado 80160

22 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
23 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
24 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

25 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
26 me in these proceedings, I identify that attorney below, along with his or her mailing address,
27 telephone number, and facsimile number:

1 Attorney:


2 George Benesch, Esq. Lyon County District Attorney
3 Attn: Stephen B. Rye

4 Address:

5 9432 Double R Blvd. 31 S. Main Street
6 Suite B Yerington, NV 89447
7 Reno, NV 89521

8 Phone Number:

9 (775) 827-3100 (775) 463-6511
10 Fax Number:

11 

12 (Signature)

13 Stephen B. Rye

14 (Printed or typed Name)

15 Willowcreek G.I.D.

16 (Entity, if any, on whose
17 behalf you are appearing)

18 31 S. Main Street

19 Yerington, NV 89447

20 (Address)

21 (775) 463-6511

22 (Telephone number)

Accommodation Only

RPTT #6

GRANT, BARGAIN, AND SALE DEED

THIS INDENTURE WITNESSETH: That

DAN D. WRIGHT, A MARRIED MAN

in consideration of the sum of TEN DOLLARS (\$10.00) lawful money of the United States, and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby Grant, Bargain, Sell and Convey to

MARY MACKEDIE WRIGHT, A MARRIED WOMAN

and to the heirs and assigns of such Grantee forever, all that real property situated in the County of LYON, State of Nevada, bounded and described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof.

Witness my hand this 7TH day of JANUARY, 1994.

Dan D. Wright

DAN D. WRIGHT

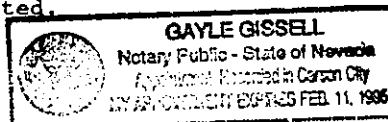
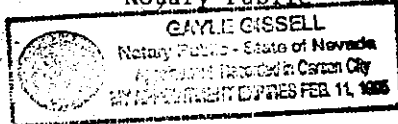
STATE OF NEVADA)
) : SS
COUNTY OF LYON)

On 1-7-94, personally appeared before me, a Notary Public, DAN D. WRIGHT

personally known or proved to me to be the persons whose names are subscribed to the above instrument who acknowledged that they executed the same for the purposes therein stated.

Gayle Gissell

Notary Public



WHEN RECORDED MAIL TO:
MARY MACKEDIE WRIGHT
BOX 362
WELLINGTON, NV 89444

The Grantor(s) declare(s):
Document Transfer Tax is \$0.00 #6
(X) computed on full value less
value of liens and encumbrances
remaining at time of sale.

MAIL TAX STATEMENTS TO:
MARY MACKEDIE WRIGHT

167680

Exhibit 157-158

EXHIBIT "A"

THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN LYON COUNTY, NEVADA, AND IS DESCRIBED AS FOLLOWS:

All that certain lot, piece or parcel of land located in Wellington, Lyon County, Nevada, lying on the Easterly side of the State Highway situate in the SE 1/4 of Section 2, Township 10 North, Range 23 East, M.D.B.&M. described as follows:

BEGINNING at the Southeast corner of the parcel on the Easterly line of the State Highway right of way, said POINT OF BEGINNING being further described as bearing N. 59°24'W., a distance of 1362.80 feet from the section corner common to Sections 1, 2, 11 and 12, T. 10 N., R. 23 E., thence N. 49°08' W., along highway right of way line 200.00 feet to a point; thence N. 0°05' W., along the fence and property line 436.00 feet to the northwest corner of the parcel; thence N. 80°30' E., along the fence and property line 560.00 feet to the northeast corner of the parcel; thence S. 31°05'W., along the fence and property line 755.00 feet to the POINT OF BEGINNING.

APN 10-651-01

167680

RECORD RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY

MARY WRIGHT

'94 JAN 7 PM 2 50

NANCY M. GARR
COUNTY RECORDER
FEE 8.00 REP 28

NEW PRIORITY DATE: MAY 20, 1992

No. 48833 Date Filed FEB 11 1985

Indexed under _____ Well Log # 38104

Name of applicant X

Map _____ Basin Smith Valley

Stream _____ 9-107

Township 10N Range 23E County Lyon

Point of diversion SE 1/4 SE 1/4 Section 2

Applicant Dan D. & Mary Mackedie Wright

Source of Water Underground

Returned for correction MAR 07 1985 Abrogated by _____

Corrected application received _____

Map filed APR 30, 1985 ~~CANCELLED APR 23 1992~~ ~~BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT~~

Sent for publication MAY 9 1985 ~~STATE ENGINEER~~

Proof of publication filed JUN 17 1985 ~~7-15-92~~

Investigated on ground by _____

Protested _____

Ready for action JUL 14 1985

Approved DECEMBER 31, 1985 0.25 c.f.s. COMMERCIAL (GEOTHERMAL)

8-1-91 1-3-95	PROOF OF COMMENCEMENT	PROOF OF COMPLETION	PROOF OF BENEFICIAL USE	CULTURAL MAP
Date due		<u>JAN 01 1988</u>	<u>JAN 01 1990</u>	
1st extension		<u>JUL 15 1989</u>	<u>JUL 15 1991</u>	
2nd extension		<u>96 2/24/95</u>	<u>97 2/24/95</u>	
		<u>NO FURTHER EXTENSION</u>	<u>NO FURTHER EXTENSION</u>	
Date filed		<u>JAN 08 1997</u>		

CERTIFICATE NO.	ISSUED	AMOUNT
Use	ADDRESS CHANGE	

COMPUTER CHECK	
File Entry	<u>5</u>
Publication	<u>RET</u>
Permit	<u>28</u>
Certificate	

NEVADA DIVISION OF WATER RESOURCES
WATER RIGHTS DATABASE

SPECIAL HYDROGRAPHIC ABSTRACT

Run Date: 1/17/2003

Selection Criteria: county in ('LY') and o.owner_name LIKE '%WRIGHT%' order by basin,m.app

BASIN	APP	CHANGE OF APP	CERT	FILING DATE	STAT	APP	CHANGE BY:	POINT OF DIVERSION			DIV TYPE			IRRIGATED ANNUAL			OWNER OF RECORD		
								SRC	QQ	QTR	SEC	TWN	RNG	RATE (CFS)	USE	SUP		ACRES	DUTY
107	12301		3247	03/01/1948	CER			UG	NE	NE	25	11N	23E	0.025	STK		0.63MGA	LY	WRIGHT, NADIA, WRIGHT, WAYNE D.
	18846			05/16/1960	CAN			OSW	NW	NE	25	11N	23E	3.000	IRR		0.00	LY	WRIGHT, WAYNE D.
	36524A0		12455	01/24/1979	CER			UG	NW	SE	31	12N	24E	1.580	IRR	Y	219.30AFA	LY	ECKEL, EDGAR S. & MARY V. FAIFEREK ROLAND & LEE, FAIFEREK, ROLAND & LEE, HUNEWILL LAND & LIVES TOCK CO., INC., WRIGHT, ROBERT E.
		25544														Y			
36524A0			12481	01/24/1979	CER			UG	NW	SE	31	12N	24E	1.457	IRR		202.32AFA	LY	ECKEL, EDGAR S. & MARY V. FAIFEREK ROLAND & LEE, FAIFEREK, ROLAND & LEE, HUNEWILL LAND & LIVES TOCK CO., INC., WRIGHT, ROBERT E.
		25544																	
36525A0			12456	01/24/1979	CER			UG	NE	NW	31	12N	24E	1.093	IRR		258.96AFA	LY	ECKEL, EDGAR S. & MARY V. FAIFEREK ROLAND & LEE, FAIFEREK, ROLAND & LEE, HUNEWILL LAND & LIVES TOCK CO., INC., WRIGHT, ROBERT E.
		25237																	
36525A0			15844	01/24/1979	CER			UG	NE	NW	31	12N	24E	1.184	IRR	Y	280.70AFA	LY	ECKEL, EDGAR S. & MARY V. FAIFEREK ROLAND & LEE, FAIFEREK, ROLAND & LEE, HUNEWILL LAND & LIVES TOCK CO., INC., WRIGHT, ROBERT E.
		25237														Y			
48833				02/11/1985	CAN			UG	SE	SE	02	10N	23E	0.250	COM		14.66MGA	LY	WRIGHT, DAN D. WRIGHT, MARY MACKEDIE

-- End of Report --

Preliminary Data - Subject to Revision

Summary of Ownership

App: 4455 User: 20M CFS: 0.15 Duty: 0.16 Unit: HGA Acres: 0Cert No: Issued: CFS: 0 Duty: 0 Unit: Acres: 0Assigned By: Effective Date: Update ID: JLYMAN Update Date: 1/10/2002

Owner	Type	Div Rate	Duty	Acres	Change By	Description
WRIGHT, DAN D.	B	0.000	0	0		
WRIGHT, MARY MACKEDIE	B	0.000	0	0		

Total Owner Div Rate: 0 CFS **Print Owner Info** Original Owner:

Total Owner Duty: 0 Unit: HGA

Owner
WRIGHT, DAN D.
WRIGHT, MARY MACKEDIE

Remark5

DUTY 45AFA. SERVE GREEN HOUSE, FISH POND, AND HEALTH SPA.

[New App](#)[Main Menu](#)[Page 1](#)[Page 2](#)[Page 3](#)[Page 4](#)[Page 5](#)[Print Screen](#)[Print All](#)

App. No.: 48833

App. Status: CAN

Case No.:

Owner: WRIGHT, DAN D.

Status: CANCELLED

Basin: 107

Basin Name: SMITH VALLEY

Sub Basin:

Basin Status: PARTLY DESIGNATED

Region: 09

WALKER RIVER BASIN

County: LY County Name: LYON

Change of App. No.	PDD	POU	MBU

Print
Change App
InfoSupplemental: ☐

Source: UG UNDERGROUND

Source Description: GEOTHERMAL

Project Name:

Decree Name:

Use: COM COMMERCIAL

Period Start: 0101

Period End: 1231

Point of Diversion Information: Qtr-Qtr: SE Qtr: SE Sec: 02 Twn: 10N Rng: 23E Ref: MD BM

Per Duty: 14.66 Unit: MGA Cert Duty 0 Unit: Duty Balance: 14.660

Per Div: 0.25 CFS Cert Div: 0 CFS Div. Balance: 0.250

Acre-Feet Storage: 0 Well Log Nos: 38104

Remarks 1:

New
AppMain
Menu

Page 1

Page 2

Page 3

Page 4

Page 5

Print
Screen

Print All

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Date: 9/16/03

Donna L. Parrott

Signature

Donna L. Parrott

Printed Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Treasurer of

(Title)

Verington Church of Christ

(Corporate, Trust, Partnership or other entity)

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Plaintiff,

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Plaintiff-Intervenor,

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SUBFILE NO. C-125-B

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Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

1 Attorney:

2
3 Address:

4
5
6 Phone Number:

7 Fax Number:

8 Donna L. Parrott

9 (Signature)

10
11 DONNA L. PARROTT

12 (Printed or typed Name)

13
14 Verington Church of Christ
15 (Entity, if any, on whose
16 behalf you are appearing)

17 2 S. Willhoys
18 Verington, NV 89444
19 (Address)

20 (775) 463-1816
21 (Telephone number)

22 church Mailing Address:
23 204 N. Whitaker #B
24 Verington, NV 89447
25
26
27
28

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

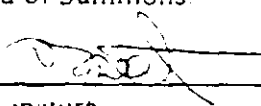
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date 27 August 2003


Signature

Charles S. Zumpft

Printed Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: Attorney of

(Title)

Yerington Public Utilities

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of a Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.


5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

1 Attorney: Charles S. Zumpft
2 Brooke Shaw Zumpft

3 Address: Post Office Box 2860
4 Minden NV 89423

5
6 Phone Number: (775) 782-7171

7 Fax Number: (775) 782-3081

8 

9 (Signature)

10
11 Charles S. Zumpft

12 (Printed or typed Name)

13
14 Yerington Public Utilities

15 (Entity, if any, on whose
16 behalf you are appearing)

17 102 So. Main Street

18 Yerington NV 89447

19 (Address)

20 (775) 463-3551

21 (Telephone number)

CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I certify that I am an employee of the law office of Brooke Shaw Zumpft and that on the 8th day of September, 2003, I served a true and correct copy of the preceding document entitled *Notice of Appearance and Intent to Participate* addressed to:

Susan L. Schneider, Attorney
U.S. Department of Justice
Post Office Box 756
Littleton, Counterclaimant 80160-0756

☒ **BY U.S. MAIL:** I deposited for mailing in the United States mail, with postage fully prepaid, an envelope containing the above-identified document at Minden, Nevada, in the ordinary course of business.

☐ **BY FACSIMILE:** No. _____

☐ **BY PERSONAL SERVICE:** I personally delivered the above-identified document by hand delivery to the offices of the person named above.

☐ **BY MESSENGER SERVICE:** I delivered the above-identified document to Reno-Carson Messenger Service for delivery to the address named above.


SHARLEE MEEDEN

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date 27 August 2003



Signature

Charles S. Zumpft

Printed Typed Name

If you are acting on behalf of any entity, identify that you are
acting as: Attorney of
(Title)

Yerington Water Company

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA.

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Suite 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

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me in these proceedings, I identify that attorney below, along with his or her mailing address,
telephone number, and facsimile number:

Attorney: Charles S. Zumpft
Brooke Shaw Zumpft

Shaw

Address: Post Office Box 2860
Minden NV 89423

of the

Phone Number: (775) 782-7171

Fax Number: (775) 782-3081



(Signature)

fully
dinary

Charles S. Zumpft

(Printed or typed Name)

nent

Yerington Water Company

(Entity, if any, on whose
behalf you are appearing)

no-

102 So. Main Street

Yerington NV 89447

(Address)

(775) 463-3551

(Telephone number)